

EXHIBIT "K"

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

THERESA ALLEN,	:
INDIVIDUALLY, E.T.A. by	:
and through Theresa	:
Allen, and K.T.A. by and	:
through Theresa Allen	:
	:
Plaintiffs	:
	:
VS.	: CIVIL ACTION NO. 4:11-CV-04170
	:
TEXAS DEPARTMENT OF	:
FAMILY AND PROTECTIVE	:
SERVICES, HOWARD	:
BALDWIN, YOLANDA	:
ALPOUGH, ADRIAN HOMER,	:
STEPHANIE HAMMON, IVY	:
CHAMBERS, and UNKNOWN	:
COMMISSIONERS,	:
SUPERVISORS OR DIRECTORS	:
OF YOLANDA ALPOUGH,	:
ADRIAN HOMER AND	:
STEPHANIE HAMMON	:
	:
Defendants	:

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ORAL DEPOSITION OF  
ADRIAN HOMER  
FEBRUARY 21, 2013  
VOLUME 1

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ORAL DEPOSITION OF ADRIAN HOMER, produced as a witness at the instance of the Plaintiffs, and duly sworn, was taken in the above-styled and numbered cause on the 21st of February, 2013, from 9:18 a.m. to 12:01 p.m., before Beth L. Sheen, CSR in and for the State of Texas, reported by machine shorthand, at the offices of Children's Advocacy Center, 2500 Bolsover, Houston, Texas, pursuant to the Federal Rules of Civil Procedure and the provisions stated on the record or attached hereto.

## A P P E A R A N C E S

FOR PLAINTIFF THERESA ALLEN:

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ALSO PRESENT:

Theresa Allen

1 (Discussion off the record.)

2 Q. (BY MR. BRANSON) Okay. I'm sorry. Page 8,  
3 Line 18, please. Would you review Line 18 through the  
4 end of the page there.

5 A. By Mr. McInnis: But to be clear, you did not  
6 want the grandmother having any visits?

7 The answer is: That's correct.

8 The question: And your concern there  
9 is -- there is that you're not looking for her for  
10 placement. Are there any other --

11 Q. Okay. I'm sorry. You can stop there. Do you  
12 recognize this as direct examination by Mr. McInnis to  
13 you?

14 A. Yes.

15 Q. Okay. All right. So you stated on the record  
16 that you didn't want the grandmother having any visits?

17 A. That's correct.

18 Q. Okay. And why did you not want the  
19 grandmother having any visits?

20 A. The grandmother, per my supervisor's  
21 directives, it was stating court order at that time that  
22 the grandmother was not allowed to have any visits with  
23 the children at that time. So that was the Agency's  
24 position on why we didn't want the grandmother to have  
25 any contact with the children.

1 that says there is no contact between the children, the  
2 minors, and Theresa Allen?

3 A. That, I'm not sure.

4 Q. Have you ever seen such an order?

5 A. No.

6 Q. Okay. So that is Basis No. 1. And you've  
7 never seen that order?

8 A. Yes. I have never seen it.

9 Q. Basis No. 2 is a psychological exam,  
10 correct?

11 A. Yes.

12 Q. So even though it's best for the family to  
13 stay together, you're recommending -- you've recommended  
14 that Ms. Allen have no contact with the children based on  
15 that psychological exam and that alone, assuming there is  
16 no order, correct?

17 A. Assuming if there is no order in place, then  
18 I'm assuming that I don't know what my -- what my actual  
19 supervisor would have done at that point. I'm not sure.

20 Q. Okay. But my question is: If there really is  
21 no order, then really the only basis for keeping Theresa  
22 Allen away from her children is a psychological exam,  
23 correct?

24 MR. SEAQUIST: Object to speculation.

25 Q. (BY MR. POOCK) That's what you testified to,